

EXHIBIT 1

ROBINS, KAPLAN, MILLER & CIRESI LLP

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ATTORNEYS AT LAW

SANG YOUNG BRODIE
612-349-8207
sybrodie@rkmc.com

June 17, 2011

VIA EMAIL

Mr. Robert W. Unikel
Kay Scholer L.L.P.
3 First National Plaza
70 West Madison St.
Suite 4100
Chicago, IL 60602-4231

Re: *Edge Capture L.L.C. and Edge Specialists, L.L.C. v. Barclays PLC, et al.*
United States District Court, Northern District of Illinois, Eastern Division
Case No. 1:09-cv-01521
Our File No.: 124313.0002

Dear Mr. Unikel:

I write regarding Wolverine Trading, LLC's and Wolverine Execution Services, LLC's (collectively, "Wolverine") failure to comply with their obligations under the Local Patent Rules.

Wolverine has improperly limited its initial document production under LPR 2.1(b)(1) to "documents referring and relating to Wolverine's five transactions for options contracts with account acronym GRF that were executed on January 27, 2009." This limitation is wholly improper. Edge has made clear in the Amended Complaint that the Wolverine's infringing activity includes Wolverine's "trading computers that are communicatively linked to the CBOE's exchange servers" and "network equipment at the CBOE that connects [Wolverine's] trading computers to CBOE's exchange servers" that engaged in those five transactions. *See, e.g.,* Amended Complaint (D.E. 74) at paras. 90-105. Edge further expressly stated that the five trades cited in the Amended Complaint were only "examples" of infringing activity; they did not constitute the full scope of infringing activity. Simply put, Wolverine's accused infringing activity extends beyond the five trades.

LPR 2.1(b)(1) requires Wolverine to produce "documents sufficient to show the operation and construction of all aspects or elements of each accused apparatus, product, device, component, process, method or other instrumentality identified with specificity in the pleading of the party asserting patent infringement." A review of the five documents produced by Wolverine under LPR 2.1(b)(1) demonstrates that Wolverine stands in violation of its disclosure

Mr. Robert W. Unikel
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Page 2

obligations. Although required, Wolverine has failed to produce documents regarding “the operation and construction of all aspects” of the above referenced trading systems, including documents relating to the systems’ architecture, programming, and functions, such as system schematics, CAD drawings, system design documents, system component or chipset data sheets/books, service or user manuals, programming manuals, software design documents, functional descriptions of the software, and source code. Wolverine has further failed to produce documents relating to any and all other trades performed by those systems or to trades similar to the five exemplary trades identified in the Complaint.

We request a meet-and-confer to discuss Wolverine’s disclosure violations on Tuesday, June 21 at 9:00 am to see if this matter can be resolved without court intervention.

Regards,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

A handwritten signature in black ink, appearing to read "Sang Young Brodie", written in a cursive style.

Sang Young Brodie

SB/mmt

EXHIBIT 2

Finn, Miles A.

From: Brodie, Sang Young
Sent: Monday, June 20, 2011 5:43 PM
To: Robert.Unikel@kayescholer.com
Cc: Meghjee, Munir R.
Subject: Fwd: Letters

Rob,

We would appreciate it if you could make yourself available for a meet-and-confer some time tomorrow or Wednesday morning. If not, let's plan on conferring at 1:30 pm Wednesday afternoon. You can reach me at 612-349-8207.

Thanks,

- Sang Young Brodie

sent from my handheld

Begin forwarded message:

From: "Meghjee, Munir R." <MRMeghjee@rkmc.com>
Date: June 20, 2011 12:47:27 EDT
To: "Brodie, Sang Young" <SYBrodie@rkmc.com>
Subject: FW: Letters

Munir Meghjee
Robins, Kaplan, Miller & Ciresi L.L.P.

-----Original Message-----

From: Unikel, Robert [mailto:Robert.Unikel@kayescholer.com]
Sent: Monday, June 20, 2011 11:17 AM Central Standard Time
To: Meghjee, Munir R.
Cc: Keysor, Deanna; Marek, Michelle
Subject: Letters

Munir,
I received your letters this morning regarding Wolverine's initial production and Wolverine's objection to Izzy Nelken as an expert. I am out of the office today and tomorrow, but can have a meet and confer call on these matters either on Wednesday afternoon or on Thursday (other than from 11:30-2:00). Please let me know if there are any times during those windows that would work for you. Thanks.

Rob Unikel

7/9/2011

EXHIBIT 3

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June 23, 2011

VIA EMAIL

Mr. Robert W. Unikel
Kay Scholer L.L.P.
3 First National Plaza
70 West Madison St.
Suite 4100
Chicago, IL 60602-4231

Re: *Edge Capture L.L.C. and Edge Specialists, L.L.C. v. Barclays PLC, et al.*
United States District Court, Northern District of Illinois, Eastern Division
Case No. 1:09-cv-01521
Our File No.: 124313.0002

Dear Rob:

I write to follow up on our meet-and-confer of June 22 where we discussed Edge's challenge of Wolverine's initial disclosures under LPR 2.1(b)(1), as outlined in my letter of June 17, 2011.

You stated that you would discuss with your client before Tuesday our position that Wolverine is required under LPR 2.1(b)(1) to produce documents relating to the system(s) that engaged in the five trades identified in the Amended Complaint. In an effort to resolve this matter in a timely fashion and without court intervention, I stated that if Wolverine agrees to immediately produce documents relating to the systems' architecture and functions—such as system schematics, CAD drawings, system design documents, system component sheets/books, system requirements documents, service or user manuals, software design documents, and functional descriptions of the software—then we would wait on our request for source code. We would, of course, under the agreement, reserve the right to request source code, whether as part of Wolverine's initial disclosures or in discovery.

We look forward to receiving Wolverine's response during the meet-and-confer scheduled for next Tuesday at 11 am CT. If we fail to reach an agreement on this matter during

Mr. Robert W. Unikel
June 23, 2011
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the next meet-and-confer, we will consider the parties to be at an impasse and the matter ripe for court intervention.

Regards,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

A handwritten signature in black ink, appearing to read 'Sang Young Brodie', written in a cursive style.

Sang Young Brodie

SB/mmt

EXHIBIT 4

Finn, Miles A.

From: Brodie, Sang Young
Sent: Tuesday, June 28, 2011 11:40 AM
To: Finn, Miles A.
Subject: FW: Edge v. Barclays et al.

From: Brodie, Sang Young
Sent: Tuesday, June 28, 2011 10:09 AM
To: 'Unikel, Robert'
Cc: Meghjee, Munir R.; Keysor, Deanna
Subject: RE: Edge v. Barclays et al.

Rob,

I will adjust my schedule to accommodate your request to meet and confer tomorrow at 10:30 CT instead of today. I would appreciate it, however, if you could let me know ahead of time as to whether you believe that (1) the parties are likely to reach an agreement, because Wolverine is willing to produce under LPR 2.1(b) technical documents regarding the trading systems that engaged in the trades identified in the Amended Complaint, or (2) the parties are likely to remain at an impasse, because Wolverine is not willing to produce under LPR 2.1(b) technical documents regarding those trading systems.

Thanks,

~ Sang Young

From: Unikel, Robert [mailto:Robert.Unikel@kayescholer.com]
Sent: Tuesday, June 28, 2011 9:04 AM
To: Brodie, Sang Young
Cc: Meghjee, Munir R.; Keysor, Deanna
Subject: Re: Edge v. Barclays et al.

Sang Young,

Due to circumstances beyond my control, I can no longer do our meet-and-confer call this morning. Can we please reschedule for either tomorrow at 10:30 CT or Thursday at 10:30 CT? Thanks, and sorry for the inconvenience.

Rob Unikel

From: Brodie, Sang Young <SYBrodie@rkmc.com>
To: Unikel, Robert
Cc: Meghjee, Munir R. <MRMeghjee@rkmc.com>
Sent: Thu Jun 23 14:59:35 2011
Subject: Edge v. Barclays et al.

Rob,

Please see the attached letters.

7/9/2011

Regards,

~ Sang Young

Sang Young Brodie
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Thank you in advance for your cooperation.

Robins, Kaplan, Miller & Ciresi L.L.P.
<http://www.rkmc.com>

EXHIBIT 5

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June 29, 2011

VIA EMAIL

Mr. Robert W. Unikel
Kay Scholer L.L.P.
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70 West Madison St.
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Chicago, IL 60602-4231

Re: *Edge Capture L.L.C. and Edge Specialists, L.L.C. v. Barclays PLC, et al.*
United States District Court, Northern District of Illinois, Eastern Division
Case No. 1:09-cv-01521
Our File No.: 124313.0002

Dear Rob:

I write to summarize our meet-and-confer of June 29 where we continued our discussions of Edge's challenge of Wolverine's initial disclosures under LPR 2.1(b)(1).

You agreed to discuss with your client making a proposal by or before next Tuesday to produce a set of technical documents that would show the operation and construction of the trading systems that engaged in the trades identified in the Amended Complaint. We agreed to give you the opportunity to talk with your client, and to give any proposal due consideration.

We lastly confirm that the next meet-and-confer on this matter will occur next Tuesday at 11:30 am CT. It is our hope that we will be able to resolve this matter without court intervention.

Regards,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.



Sang Young Brodie

EXHIBIT 6

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July 11, 2011

VIA EMAIL

Mr. Robert W. Unikel
Kay Scholer L.L.P.
3 First National Plaza
70 West Madison St.
Suite 4100
Chicago, IL 60602-4231

Re: *Edge Capture L.L.C. and Edge Specialists, L.L.C. v. Barclays PLC, et al.*
United States District Court, Northern District of Illinois, Eastern Division
Case No. 1:09-cv-01521
Our File No.: 124313.0002

Dear Rob:

This letter will confirm that the parties are at an impasse with respect to the sufficiency of Wolverine's initial disclosures under LPR 2.1(b)(1). Edge will be filing a motion to compel on the matter in the near future.

Regards,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.



Sang Young Brodie